

1 GREGORY L. WILDE, ESQ.  
2 Nevada Bar No. 4417  
3 KEVIN S. SODERSTROM, ESQ.  
4 Nevada Bar No. 10235  
**TIFFANY & BOSCO, P.A.**  
212 South Jones Blvd.  
Las Vegas, Nevada 89107  
(702) 258-8200

6 | TB #14-73163

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

9 U.S. BANK, NATIONAL ASSOCIATION,  
10 Plaintiff,

Case No.: 2:15-cv-00287-APG-GWF

11 | VS

SFR INVESTMENTS POOL 1, LLC, a Nevada Limited Liability Company; DOES 1 through 10; and ROE BUSINESS ENTITIES 1 through 10, inclusive.

### Defendants.

## **NOTICE OF CONSTITUTIONAL CHALLENGE**

Pursuant to Fed. R. Civ. P. 5.1(a), please take notice that Plaintiff U.S. Bank, National  
Association (“hereinafter the Plaintiff”) has challenged the constitutionality of NRS 116.31162  
through 116.311638 in its Complaint filed on February 18, 2015. [Dkt No. 1]. The Plaintiff  
contends these statutes violate the Property Clause and the Supremacy Clause of the United  
States Constitution because the Federal Housing Administration has an interest in the deed of  
trust which is the subject of this action which is protected by the Property Clause and the  
Supremacy Clause of the United States Constitution. The Plaintiff also contends these statutes  
violate the Due Process Clauses and the Takings Clauses of the United States Constitution and  
the Nevada Constitution, as detailed more fully in the Plaintiff’s Opposition to SFR Investments  
Pool 1, LLC’s Motion to Dismiss Complaint. [Dkt No. 11].

1 Furthermore, pursuant to Fed. R. Civ. P. 5.1(a)(2), on April 29, 2016, the Plaintiff  
2 provided notice to the Office of the Attorney General for the State of Nevada. A copy of the  
3 correspondence is attached hereto as Exhibit 1.  
4

5 DATED this 29<sup>th</sup> day of April, 2016.  
6

7 **TIFFANY & BOSCO, P.A.**  
8

9 /s/ Kevin S. Soderstrom  
10

11 GREGORY L. WILDE, ESQ.  
12 Nevada Bar No. 4417  
13 KEVIN S. SODERSTROM, ESQ.  
14 Nevada Bar No. 10235  
15 212 S. Jones Boulevard  
16 Las Vegas, NV 89107  
17 Attorney for Plaintiff  
18 U.S. Bank, National Association  
19

20 **CERTIFICATE OF SERVICE**  
21

22 I hereby certify that on this 29<sup>th</sup> day of April 2016, I electronically transmitted the above  
23 NOTICE OF CONSTITUTIONAL CHALLENGE to the Clerk's Office using the CM/ECF  
24 System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all  
25 counsel being registered to receive Electronic Filing.  
26

27 I further certify that on this 29<sup>th</sup> day of April 2016 I placed a copy of the above NOTICE  
28 OF CONSTITUTIONAL CHALLENGE into a sealed envelope and mailed it via regular mail,  
postage prepaid, addressed to:  
29

30 Adam P. Laxalt  
31 Office of the Attorney General  
32 State of Nevada  
33 101 North Carson Street  
34 Carson City, Nevada 89701  
35

36 /s/ Jessica A. Moore  
37

38 An employee of Tiffany & Bosco, P.A.  
39

40 **TIFFANY & BOSCO, P.A.**  
41 212 S. Jones Blvd.  
42 Las Vegas, NV 89107  
43 Tel 258-8200 Fax 258-8787  
44

# EXHIBIT 1



**Attorneys At Law**  
**LAS VEGAS, NV OFFICE**  
Matthew D. Dayton  
Matthew K. Schriever  
Kevin S. Soderstrom  
Gregory L. Wilde

April 29, 2016

Via Certified Mail, Return Receipt Requested

Office of the Attorney General  
State of Nevada  
101 North Carson Street  
Carson City, Nevada 89701

Re: *U.S. Bank, National Association v. SFR Investments Pool 1, LLC*  
United States District Court, Case No. 2:15-cv-00287-APG-GWF  
TB #14-73163

To Whom It May Concern:

Pursuant to Fed. R. Civ. P. 5.1(a), please take notice that, in the above referenced action, Plaintiff U.S. Bank, National Association is challenging the constitutionality of NRS 116.3116, as detailed in the enclosed Complaint and Opposition to SFR Investments Pool 1, LLC's Motion to Dismiss Complaint filed in the above-referenced matter on February 18, 2015 and June 22, 2015, respectively.

If you have any questions, please feel free to contact me at any time.

Truly yours,

Kevin S. Soderstrom, Esq.

Encl: Complaint  
Opposition to SFR Investments Pool 1, LLC's Motion to Dismiss Complaint